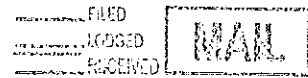


COVER SHEET

JUN 20 2025

AT SCHUYLER  
CLERK OF DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON

RE: CASE: 2:24-CV-00592 (KKE) PICKERING VS. AMAZON.COM, INC., et al, [P] LAINTIFFS - [P] PETITIONERS - [P] APPELLANTS, PRO SE "OBJECT", "REPLY AND RESPONSE" TO U.S. DISTRICT JUDGE ORDER DISMISSING CASE, ORDER DATED 5/23/25, PLAINTIFF "OBJECT" IN ACCORD WITH "MOTION, FOR NOTICE OF APPEAL IN ACCORD WITH INTERLOCUTORY DECISIONS, INTERLOCUTORY APPEALS (DETINUE, RECORD, SERVICE OF PROCESS, TRIAL, WRIT), 28 USC § 1337 AND, 18 USC § 3231



JUN 20 2025

AT SEATTLE  
CLERK US DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON

BY DEPUTY

US. DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON

JOHN PICKERING

PLAINTIFF(S)

V.

AMAZON.COM INC, et al,

DEFENDANT(S)

NOTICE OF CIVIL APPEAL

CASE NO. 2:24-CV-00592-KKE

US. DISTRICT COURT JUDGE

NOTICE IS HEREBY GIVEN THAT, JOHN PICKERING  
PRO SE, IN THE ABOVE-NAMED CASE APPEAL TO THE,  
US. COURT OF APPEALS FOR NINTH CIRCUIT FROM (A)  
ORDER.

THIS UNITED STATES DISTRICT COURT, TITLE 28  
JUDICIAL ADMINISTRATION 28 CFR Pt. 0, SUBPT. Y,  
APP. APPENDIX TO SUBPART Y OF PART 0 - REGU-  
LATIONS OF AUTHORITY TO COMPROMISE AND CLO-  
SE CIVIL CLAIMS., AND US. DISTRICT COURT  
JUDGE UPHOLD THE FEDERAL RULES OF CIVIL &  
CRIMINAL PROCEDURES AND PROTECT (PLAINTIFFS-  
APPELLANT'S RIGHTS) - VICTIMS RIGHTS, "...VICTIMS  
COMPENSATION CLAIM," "DISCRIMINATION," 7 CFR  
PART 278 AND, 28 CFR PART 0 - ANTITRUST LAWS  
AND REGULATIONS (INDIVIDUALS AND CORPORAT-  
ION, CORPORATE ENTITIES).

VALID REASONS TO APPEAL [A] COURT'S DECISION

- a) THE JUDGE REFUSED TO HAVE [A] TRIAL ON THE, LIST OF CLAIMS, LIST OF PLEADING AND, LIST OF RELIEF.
- b) THE JUDGE REFUSE TO ALLOW RELEVANT EVIDENCE, WHICH HURT THE APPELLANT'S CASE.
- c) JUDGE IGNORES EVIDENCE PRESENTED, DISMISSED EVIDENCE OR, EXCLUDED EVIDENCE.
- d) THERE WAS NOT [A] JURY TRIAL NOR, NON JURY TRIAL

GROUND'S FOR APPEAL

[A]N ERROR OF LAW, LEGAL ERRORS, MISINTERPRETATION, OR MISAPPLICATION. THE CORE PURPOSE OF APPELLATE COURT IS TO RIGHT LEGAL WRONGS. IF [A] TRIAL COURT JUDGE MADE [A] LEGAL ERROR, MISINTERPRETED THE LAW "ERRONEOUS FINDINGS" APPELLANT HAVE AN ABSOLUTE RIGHT TO HOLD THIS, U.S. DISTRICT COURT, WESTERN DISTRICT OF WASHINGTON SEATTLE, ACCOUNTABLE FOR THEIR "PROCEDURAL ERRORS" AND SEE JUSTICE PREVAIL "DUE PROCESS",

[E]RRORS MADE DURING THE ORIGINAL PROCESS, UNFAIRNESS, UNREASONABLE ORDER, OPINION, VERDICT. THERE WAS NO JURY INSTRUCTIONS".

[E]RRONEOUS FINDINGS, CLEARLY ERRONEOUS JUDGMENT / ORDER.

### U.S. MARSHAL SERVICE

[I]N SUMMARY, "NOTICE OF APPEAL", IF [A] ADMINISTRATION, CORPORATION, COMPANY OR, GOVERNMENT AGENCY, etc. — CANNOT BE SERVED CONVENTIONALLY, THE PLAINTIFF "DID" REQUEST ALTERNATIVE STRATEGIES, SUCH AS — COURT APPROVED ALTERNATIVE SERVICE (U.S. MARSHAL SERVICE — USM-285: U.S. MARSHALS' PROCESS RECEIPT AND RETURN.

THE FORM USM-285 IS [A] FIVE-COPY FORM SET DESIGNED AS [A] CONTROL DOCUMENT FOR PROCESS SERVED BY [A] U.S. MARSHAL OR, DESIGNEE WILL RECEIVE RECEIPT FOR ALL OF THEM ON THE FIRST FORM USM-285-FORMS. — "ACKNOWLEDGMENT OF RECEIPT COPY"

SERVICE ON GOVERNMENT OFFICERS IN OFFICIAL CAPACITY, AGENCIES — (USAM 4-2.310) BY SENDING [A] COPY OF THE SUMMONS AND THE COMPLAINT BY REGISTERED OR, CERTIFIED MAIL TO THE OFFICER, AGENCY, OR CORPORATION, FRCP, 4(c)(2) 28 USC § 1391(e)(3) IN ADDITION, 28 USC § 1391(e)(3) PERMITS SERVICE OF AN OFFICER OR AGENCY BY — CERTIFIED MAIL BEYOND THE TERRITORIAL LIMITS OF THE JURISDICTION IN WHICH

THE ACTION IS BROUGHT.

THE U.S. ATTORNEY GENERAL SERVICE OF PROCESS, THE ATTORNEY GENERAL HAS DESIGNATED THE ASSISTANT ATTORNEY GENERAL FOR ADMINISTRATION — JUSTICE MANAGEMENT DIVISION, 950 PENNSYLVANIA AVENUE, N.W., ROOM 1111, WASHINGTON, D.C. 20530 — TO ACCEPT SERVICE OF SUMMONS AND COMPLAINTS FOR HCR/ITM, — 28 CFR § 0.97 (j).

TITLE 28 (JUDICIAL ADMINISTRATION) OF THE CODE OF FEDERAL REGULATIONS ("CFR") CHAPTER 1, PART 0, SUBPART 0 (JUSTICE MANAGEMENT DIVISION) SECTION 0.97 ENTITLED "OPERATIONAL FUNCTIONS".

APPEALS TO THE UNITED STATES COURT OF APPEALS, FOR THE NINTH CIRCUIT FROM THE ABOVE-NAMED CASE FROM [A] JUDGMENT/ORDER.

ORDER DISMISSING CASE/JUDGMENT IN CIVIL CASE, ENTERED IN THIS ACTION ON (MAY 23, 2025) — SEE ATTACHED DOCUMENT.

DATED: 6/2/2025

*Julian Buckner*

COURTESY FOR APPELLANT



9589 0710 5270 1434 2821 20

APPELLANT / PRO SE

John Pickering  
JOHN PICKERING  
98-01 67TH AVENUE  
BRUSSELS-APT. 3-0  
REGO PARK  
QUEEN, NY 11374  
TEL. (646) 469-0087

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

JOHN PICKERING,

Plaintiff(s),

v.

AMAZON.COM INC., et al.,

Defendant(s).

CASE NO. C24-0592-KKE

ORDER DISMISSING CASE

The Court previously ordered Plaintiff to show cause why the claims remaining in this lawsuit, against Defendant FoodServiceDirect.com<sup>1</sup>, should not be dismissed for failure to serve. Dkt. No. 23. The Court has already dismissed Plaintiff's claims against other Defendants. *See id.*

Plaintiff, representing himself, filed a timely response to the order to show cause. *See* Dkt. No. 24. Plaintiff's response in part objects to the Court's order granting a motion to dismiss filed by Defendants Amazon.com, Inc., and Amazon.com Services LLC. *Id.* at 1–5. To the extent that Plaintiff's response could be construed as a motion for reconsideration, the Court denies a request to reconsider because Plaintiff has not shown error in the Court's earlier order or identified new facts or legal authority that could not have been raised earlier. *See* Local Rules W.D. Wash. LCR 7(h)(1) ("Motions for reconsideration are disfavored. The court will ordinarily deny such motions in the absence of a showing of manifest error in the prior ruling or a showing of new facts or legal authority which could not have been brought to its attention earlier with reasonable diligence.").

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<sup>1</sup> FoodServiceDirect.com Headquarters is also listed as a Defendant on the docket, although the complaint does not list any claims separately against Headquarters. *See* Dkt. No. 8–17.

1 Plaintiff's response also fails to show that he has effectuated service on the remaining  
2 Defendant(s) FoodServiceDirect.com/Food ServiceDirect.com Headquarters. Plaintiff attached  
3 photographs to his response indicating that his mailing to FoodServiceDirect.com Headquarters  
4 was returned unopened. *See* Dkt. No. 24 at 12–13. Although Plaintiff suggests that Defendant  
5 should have forwarded his mailing somewhere in the chain of command (*id.* at 6), it appears that  
6 his mailing was returned by the U.S. Postal Service and did not reach anyone connected with  
7 FoodServiceDirect.com who could have forwarded it to someone who could accept service of  
8 process. *Id.* at 12–13.

9 Federal Rule of Civil Procedure Rule 4(m) provides that, if service of the summons and  
10 complaint is not made upon a defendant within 90 days of filing the complaint, federal district  
11 courts must *sua sponte* dismiss an action without prejudice, after notice to the plaintiff. It is  
12 essentially undisputed that proper service has not been effectuated on  
13 FoodServiceDirect.com/FoodServiceDirect.com Headquarters, despite multiple warnings from  
14 the Court that if service was not accomplished Plaintiff's claims may be dismissed. *See* Dkt. Nos.  
15 10, 12, 23.

16 Accordingly, the Court DISMISSES Plaintiff's remaining claims against  
17 FoodServiceDirect.com/FoodServiceDirect.com Headquarters without prejudice, due to  
18 Plaintiff's failure to prosecute, in accordance with Federal Rule of Civil Procedure 4(m). The  
19 clerk shall administratively close this case.

20 Dated this 23rd day of May, 2025.

21 

22 \_\_\_\_\_  
23 Kymberly K. Evanson  
24 United States District Judge



# UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

JOHN PICKERING,

Plaintiff(s),

v.

AMAZON.COM INC., et al.,

Defendant(s).

JUDGMENT IN A CIVIL CASE

CASE NUMBER C24-0592-KKE

- ☐ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.
- ☒ **Decision by Court.** This action came to consideration before the Court. The issues have been considered and a decision has been rendered.

## THE COURT HAS ORDERED THAT

The Court granted a motion to dismiss filed by Defendants Amazon.com, Inc., and Amazon.com Services LLC and dismissed Plaintiff's claims against these Defendants with prejudice.

The Court dismissed Plaintiff's remaining claims against Defendants FoodServiceDirect.com/FoodServiceDirect.com Headquarters without prejudice for failure to serve, under Federal Rule of Civil Procedure 4(m).

Dated May 23, 2025.

Ravi Subramanian

Clerk of Court

/s/ Alejandro Pasaye Hernandez

Deputy Clerk

JOHN PICKERING  
98-01 67TH AVENUE  
BRUSSELS - APT. 3-0  
QUEENS, N.Y. 11374

Retail



98101

U.S. POSTAGE PAID  
FCM LG ENV  
FOREST HILLS, NY 11371  
JUN 17, 2025

\$2.04

S2324N501275-33

RDC 99



TO: U.S. DISTRICT COURT  
WAMS, CLERKS OFFICE  
U.S. COURTHOUSE  
700 STEWART STREET,  
SUITE 2310  
SEATTLE, WA 98101

